

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Prior Application:

Ken-ichi HAYASHI et al/

Group Art Unit: 1725

Application No.: <sup>10/622490</sup> New/Rule 1.53(b) Div.  
Appln.

Examiner: Maria Alexandria Elve

Filed: July 21, 2003

Attorney Dkt. No.: 59556.00006

For: MARKING METHOD AND MARKING APPARATUS USING MULTIPLE  
PHOTON ABSORPTION, MARKED OPTICAL ELEMENT MANUFACTURED BY  
USING THE MARKING METHOD AND THE MARKING APPARATUS

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 21, 2003

Sir:

Prior to calculation of the filing fee and prior to initial examination of the application, please amend the above-identified application as set forth below. This Preliminary Amendment complies with the amendment format as set forth in the OG Notice at 1267 OG 106, published on February 25, 2003. .

**Amendments to the claims are submitted on page 2.**

**Remarks are submitted on page 5.**

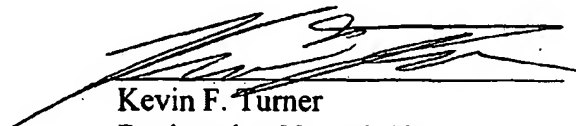
### REMARKS

The subject application is a divisional application filed under 37 CFR § 1.53(b) of parent application Serial No. 09/940,604, filed on August 29, 2001. The above amendments are submitted to place the application in condition for examination. Claims 1-4 and 6-7 having been cancelled without prejudice, claim 5 is respectfully submitted for consideration.

Timely examination on the merits is respectfully requested.

Please charge any fee deficiency or credit any overpayment to Counsel's Deposit Account No. 50-2222.

Respectfully submitted,



Kevin F. Turner  
Registration No. 43,437

**Customer Number 32294**  
**SQUIRE, SANDERS & DEMPSEY LLP**  
14<sup>TH</sup> Floor  
8000 Towers Crescent Drive  
Tysons Corner, Virginia 22182-2700  
Telephone: 703-720-7800  
Fax: 703-720-7802

KFT:lls